

sex, or marital status is prohibited with respect to an individual or a position held by an individual.

(c) The Civil Service Commission may prescribe regulations necessary for the administration of subsection (b) of this section. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 523.)

#### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 33	R.S. § 165.
(b)	5 U.S.C. 1074	Oct. 28, 1949, ch. 782, § 1103, 63 Stat. 972.

In subsection (a), the words "Executive department" are substituted for "department" as the definition of "department" applicable to this section is coextensive with the definition of "Executive department" in section 101. The words "or military department" are inserted to preserve the application of the source law. Before enactment of the National Security Act Amendments of 1949 (63 Stat. 578), the Department of the Army, the Department of the Navy, and the Department of the Air Force were Executive departments. The National Security Act Amendments of 1949 established the Department of Defense as an Executive department including the Department of the Army, the Department of the Navy, and the Department of the Air Force as military departments, not as Executive departments. However, the source law for this subsection, which was in effect in 1949, remained applicable to the Secretaries of the military departments by virtue of section 12(g) of the National Security Act Amendments of 1949 (63 Stat. 591), which is set out in the reviser's note for section 301. The words "in the discretion of" are omitted as unnecessary in view of the permissive grant of authority. The words "positions in the department" are substituted for "any of the clerkships therein authorized by law". The words "upon the same requisites and conditions" are omitted as unnecessary. The words "legal pay of the position to which appointed" are substituted for "same compensations, as are prescribed for men".

This subsection was part of title IV of the Revised Statutes. The Act of July 26, 1947, ch. 343, § 201(d), as added Aug. 10, 1949, ch. 412, § 4, 63 Stat. 579 (former 5 U.S.C. 171-1), which provides "Except to the extent inconsistent with the provisions of this Act [National Security Act of 1947], the provisions of title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense" is omitted from this title, but is not repealed.

Subsection (c) is added on authority of former sections 1072 and 1072a, which are codified in section 5115.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### REPEALS

*Repeal of section 33 of Title 5, Executive Departments and Government Officers and Employees, from which subsec. (a) of this section is derived, see section 33 of the Appendix to this title. See, also, section 7 (a) of Pub. L. 89-554, set out preceding section 101 of this title.*

### Chapter 73.—SUITABILITY, SECURITY, AND CONDUCT

#### SUBCHAPTER I.—REGULATION OF CONDUCT

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7351. Gifts to superiors.  
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### SUBCHAPTER I.—REGULATION OF CONDUCT

§ 7301. Presidential regulations.

The President may prescribe regulations for the conduct of employees in the executive branch. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 524.)

#### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 631	R.S. § 1753 (last 16 words). (last 16 words).

The words "employees in the executive branch" are substituted for "persons who may receive appointments in the civil service".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### SUBCHAPTER II.—LOYALTY, SECURITY, AND STRIKING

§ 7311. Loyalty and striking.

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

(1) advocates the overthrow of our constitutional form of government;

(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

(3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

(4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 524.)

#### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
	5 U.S.C. 118p	Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624.
----	[Uncodified]	June 20, 1956, ch. 479, § 3, (as applicable to the Act of Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624), 70 Stat. 453.

The word "position" is coextensive with and is substituted for "office or employment".

In paragraphs (1) and (2), the words "in the United States" in former section 118p(1), (2) are omitted as unnecessary in view of the reference to "our constitutional form of government".

In paragraphs (3) and (4), the reference to the "government of the District of Columbia" is added on authority of the Act of June 29, 1956, in order to make these paragraphs meaningful with respect to individuals employed by the government of the District of Columbia. The words "From and after July 1, 1956", appearing in the Act of June 29, 1956, are omitted as executed.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7312. Employment and clearance; individuals removed for national security.

Removal under section 7532 of this title does not affect the right of an individual so removed to seek or accept employment in an agency of the United States other than the agency from which removed. However, the appointment of an individual so removed may be made only after the head of the agency concerned has consulted with the Civil Service Commission. The Commission, on written request of the head of the agency or the individual so removed, may determine whether the individual is eligible for employment in an agency other than the agency from which removed. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 524.)

##### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 22-1 (4th and 5th provisos).	Aug. 26, 1950, ch. 803, § 1 (4th and 5th provisos), 64 Stat. 477.

The words "Removal under section 7532 of this title" and "so removed" are coextensive with and substituted for "termination of employment herein provided" and "whose employment has been terminated under the provisions of said sections", respectively.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### SUBCHAPTER III.—POLITICAL ACTIVITIES

#### § 7321. Political contributions and services.

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service is not obliged, by reason of that employment, to contribute to a political fund or to render political service, and that he may not be removed or otherwise prejudiced for refusal to do so. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 525.)

##### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 633(2)5	Jan. 16, 1883, ch. 27, § 2(2) 5, 22 Stat. 404.

The authority of the President to prescribe rules is added on authority of former section 633(1), which is carried into section 3302 of this title.

The words "employee in an Executive agency or in the competitive service" are substituted for "person in the public service" for clarity.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7322. Political use of authority or influence; prohibition.

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service may not use his official authority or influence to coerce the political action of a person or body. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 525.)

##### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 633(2) 6 (1st sentence).	Jan. 16, 1883, ch. 27, § 2(2)6, 22 Stat. 404.

The authority of the President to prescribe rules is added on authority of former section 633(1), which is carried into section 3302 of this title.

The words "employee in an Executive agency or in the competitive service" are substituted for "person in said service" for clarity.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7323. Political contributions; prohibition.

An employee in an Executive agency (except one appointed by the President, by and with the advice and consent of the Senate) may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a thing of value for political purposes. An employee who violates this section shall be removed from the service. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 525.)

##### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 118o	Aug. 15, 1876, ch. 287, § 6, 19 Stat. 169.

The words "An employee of an Executive agency (except one appointed by the President, by and with the advice and consent of the Senate)" are substituted for "Any executive officer or employee of the United States not appointed by the President, with the advice and consent of the Senate," because of the definitions in sections 105 and 2105. The words "an employee, a Member of Congress, or an officer of a uniformed service" are substituted for "any other officer or employee of the Government". In the last sentence, the word "removed" is substituted for "at once discharged" because of the provisions of the Lloyd-Lafollette Act, 37 Stat. 555, as amended, and the Veterans' Preference Act of 1944, 58 Stat. 387, as amended, which are carried into this title.

The criminal penalty appearing in the last 25 words of section 6 of the Act of Aug. 15, 1876, is omitted as superseded by sections 602 and 607 of title 18.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7324. Influencing elections; taking part in political campaigns; prohibitions; exceptions.

(a) An employee in an Executive agency or an individual employed by the government of the District of Columbia may not—

(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election; or

(2) take an active part in political management or in political campaigns.

For the purpose of this subsection, the phrase "an active part in political management or in political campaigns" means those acts of political manage-

ment or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

(b) An employee or individual to whom subsection (a) of this section applies retains the right to vote as he chooses and to express his opinion on political subjects and candidates.

(c) Subsection (a) of this section does not apply to an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by the District of Columbia or by a recognized religious, philanthropic, or cultural organization.

(d) Subsection (a) (2) of this section does not apply to—

(1) an employee paid from the appropriation for the office of the President;

(2) the head or the assistant head of an Executive department or military department;

(3) an employee appointed by the President, by and with the advice and consent of the Senate, who determines policies to be pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws;

(4) the Commissioners of the District of Columbia; or

(5) the Recorder of Deeds of the District of Columbia.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 525.)

HISTORICAL AND REVISION NOTES		
Derivation	U.S. Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 1181(a) (1st 2 sentences).	Aug. 2, 1939, ch. 410, § 9(a) (1st 2 sentences), 53 Stat. 1148. Mar. 27, 1942, ch. 199, § 701, 56 Stat. 181. July 19, 1940, ch. 640, § 4 "Sec. 14 (1st 33 words)", 54 Stat. 771. July 19, 1940, ch. 640, § 4 "Sec. 15 (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 54 Stat. 771.
(b)	5 U.S.C. 1181(a) (3d sentence).	Aug. 2, 1939, ch. 410 § 9(a) 3d sentence), 53 Stat. 1148. July 19, 1940, ch. 640, § 2, 54 Stat. 767.
(c)	5 U.S.C. 118k-1 (less applicability to 5 U.S.C. 118k).	Oct. 24, 1942, ch. 620, "Sec. 21 (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)" 56 Stat. 986.
(d)	5 U.S.C. 1181(a) (4th sentence).	Aug. 2, 1939, ch. 410, § 9(a) (4th sentence), 53 Stat. 1148.
	5 U.S.C. 118k-3 (less 1st 33 words).	July 19, 1940, ch. 640, § 4 "Sec. 14 (less 1st 33 words)", 54 Stat. 771.

In subsection (a), the words "July 19, 1940" are substituted for "at the time this section takes effect". The amendment made by the Act of Mar. 27, 1942, is omitted because it expired Mar. 31, 1947, under section 1501 of that Act, as added June 29, 1946, ch. 526, § 1, 60 Stat. 345; 50A U.S.C. 645.

In subsection (c), the reference in the Act of Oct. 24, 1942, to section 2 of the Act of Aug. 2, 1939, is omitted as

that section was repealed by the Act of June 25, 1948, ch. 645, § 21, 62 Stat. 867, and is now covered by section 595 of title 18.

In subsection (d), the exception for the President and Vice-President of the United States is omitted as unnecessary, as they are not "employees" under the definition in section 2105. In subsection (d) (2), the words "or military departments" are inserted to preserve the application of the source law. Before enactment of the National Security Act Amendments of 1949 (63 Stat. 578), the Department of the Army, the Department of the Navy, and the Department of the Air Force were Executive departments. The National Security Act Amendments of 1949 established the Department of Defense as an Executive Department including the Department of the Army, the Department of the Navy, and the Department of the Air Force as military departments, not as Executive departments. However, the source law for this subsection, which was in effect in 1949, remained applicable to the head or assistant head of a military department by virtue of section 12(f) of the National Security Act Amendments of 1949 (63 Stat. 591), which is set out in the reviser's note for section 301.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7325. Penalties.

An employee or individual who violates section 7324 of this title shall be removed from his position, and funds appropriated for the position from which removed thereafter may not be used to pay the employee or individual. However, if the Civil Service Commission finds by unanimous vote that the violation does not warrant removal, a penalty of not less than 30 days' suspension without pay shall be imposed by direction of the Commission. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 526.)

#### HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 1181 (b) (less last proviso, and less last sentence).	Aug. 2, 1939, ch. 410, § 9(b), 53 Stat. 1148. Aug. 25, 1950, ch. 784, § 1 "Sec. 9(b) (less last proviso, and less last sentence)", 64 Stat. 475. Oct. 5, 1962, Pub. L. 87-753, 76 Stat. 750.

The word "removed" is substituted for "removed immediately" because of the provisions of the Veterans' Preference Act of 1944, 58 Stat. 387, as amended, which is carried into this title. The words "or office" are omitted as included in "position". The words "by any Act of Congress" are omitted as unnecessary.

Standard changes are made to conform with the definitions applicable and the style of this title as outline in the preface to the report.

#### § 7326. Nonpartisan political activity permitted.

Section 7324(a) (2) of this title does not prohibit political activity in connection with—

(1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or

(2) a question which is not specifically identified with a National or State political party or political party of a territory or possession of the United States.

For the purpose of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a

similar character, are deemed not specifically identified with a National or State political party or political party of a territory or possession of the United States. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 526.)

## HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 118n (less applicability to 5 U.S.C. 118k(a)).	July 19, 1940, ch. 640, § 4 "Sec. 18 (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 54 Stat. 772.

The words "or political part of a territory or possession of the United States" are added on authority of former section 118k-2, which is carried into section 1501.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### § 7327. Political activity permitted; employees residing in certain municipalities.

(a) Section 7324(a) (2) of this title does not apply to an employee of The Alaska Railroad who resides in a municipality on the line of the railroad in respect to political activities involving that municipality.

(b) The Civil Service Commission may prescribe regulations permitting employees and individuals to whom section 7324 of this title applies to take an active part in political management and political campaigns involving the municipality or other political subdivision in which they reside, to the extent the Commission considers it to be in their domestic interest, when—

(1) the municipality or political subdivision is in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or is a municipality in which the majority of voters are employed by the Government of the United States; and

(2) the Commission determines that because of special or unusual circumstances which exist in the municipality or political subdivision it is in the domestic interest of the employees and individuals to permit that political participation.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 526.)

## HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 1181 (a) (less 1st 4 sentences).	Aug. 8, 1946, ch. 904, 60 Stat. 937.
(b)	5 U.S.C. 118m	July 19, 1940, ch. 640 § 4 "Sec. 16", 54 Stat. 771.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### SUBCHAPTER IV.—FOREIGN DECORATIONS

#### § 7311. Receipt and display of foreign decorations.

A present, decoration, or other thing presented or conferred by a foreign government to an employee, a Member of Congress, the President, or a member of a uniformed service shall be tendered through the Department of State and not to the individual in person. The Department may deliver the present, decoration, or thing to the individual in person only

if authorized by statute. After delivery is authorized by statute, the individual may not publicly show or wear the present, decoration, or thing. The Secretary of State shall furnish the 89th Congress and each alternate Congress thereafter a list of retired individuals for whom the Department of State is holding a present, decoration, or thing under this section. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 526.)

## HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 114	Jan. 31, 1881, ch. 32, § 2, 21 Stat. 604.
----	5 U.S.C. 115	Jan. 31, 1881, ch. 32, § 3, 21 Stat. 604.
----	5 U.S.C. 115a	June 27, 1934, ch. 850, § 2, 48 Stat. 1267.

The words "an employee, a Member of Congress, the President, or a member of a uniformed service" are co-extensive with and substituted for "any officer of the United States, civil, naval, or military". The words "89th Congress" are substituted for "75th Congress".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

### REPEALS

*Sections 114, 115, 115a of Title 5, Executive Departments and Government Officers and Employees, from which this section is derived, were repealed by Pub. L. 89-673, § 8, Oct. 15, 1966, 80 Stat. 952. See Appendix to this title, and section 7(a) of Pub. L. 89-554, set out preceding section 101 of this title.*

### SUBCHAPTER V.—MISCONDUCT

#### § 7351. Gifts to superiors.

An employee may not—

(1) solicit a contribution from another employee for a gift to an official superior;

(2) make a donation as a gift to an official superior; or

(3) accept a gift from an employee receiving less pay than himself.

An employee who violates this section shall be removed from the service. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 527.)

## HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
----	5 U.S.C. 113	R.S. § 1784.

The application of the section is confined to employees, since the President and Members of Congress, though officers, could not have been intended to be "summarily discharged", and members of uniformed services are not covered by this statute. In the last sentence, the word "removed" is substituted for "summarily discharged" because of the provisions of the Lloyd-LaFollette Act, 37 Stat. 555, as amended, and the Veterans' Preference Act of 1944, 58 Stat. 387, as amended, which are carried into this title.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### § 7352. Excessive and habitual use of intoxicants.

An individual who habitually uses intoxicating beverages to excess may not be employed in the competitive service. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 527.)

## HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
-----	5 U.S.C. 640	Jan. 16, 1883, ch. 27, § 8, 22 Stat. 406.

The word "employed" is substituted for "appointed to, or retained in" because it includes both.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

## Chapter 75.—ADVERSE ACTIONS

## SUBCHAPTER I.—COMPETITIVE SERVICE

Sec.

7501. Cause; procedure; exception.

## SUBCHAPTER II.—PREFERENCE ELIGIBLES

7511. Definitions.

7512. Cause; procedure; exception.

## SUBCHAPTER III.—HEARING EXAMINERS

7521. Removal.

## SUBCHAPTER IV.—NATIONAL SECURITY

7531. Definitions.

7532. Suspension and removal.

7533. Effect on other statutes.

## SUBCHAPTER I.—COMPETITIVE SERVICE

§ 7501. Cause; procedure; exception.

(a) An individual in the competitive service may be removed or suspended without pay only for such cause as will promote the efficiency of the service.

(b) An individual in the competitive service whose removal or suspension without pay is sought is entitled to reasons in writing and to—

- (1) notice of the action sought and of any charges preferred against him;
- (2) a copy of the charges;
- (3) a reasonable time for filing a written answer to the charges, with affidavits; and
- (4) a written decision on the answer at the earliest practicable date.

Examination of witnesses, trial, or hearing is not required but may be provided in the discretion of the individual directing the removal or suspension without pay. Copies of the charges, the notice of hearing, the answer, the reasons for and the order of removal or suspension without pay, and also the reasons for reduction in grade or pay, shall be made a part of the records of the employing agency, and, on request, shall be furnished to the individual affected and to the Civil Service Commission.

(c) This section applies to a preference eligible employee as defined by section 7511 of this title only if he so elects. This section does not apply to the suspension or removal of an employee under section 7532 of this title. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 527.)

## HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
-----	5 U.S.C. 652(a)	Aug. 24, 1912, ch. 389, § 6 (less proviso, and less last sentence), 37 Stat. 555. June 10, 1948, ch. 447 "Sec. 6(a)", 62 Stat. 354.

In subsection (c), the second sentence is added on authority of the first 9 words of former section 22-1, which is carried in part into section 7532.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

## SUBCHAPTER II.—PREFERENCE ELIGIBLES

§ 7511. Definitions.

For the purpose of this subchapter—

(1) "preference eligible employee" means a permanent or indefinite preference eligible who has completed a probationary or trial period as an employee of an Executive agency or as an individual employed by the government of the District of Columbia, but does not include an employee whose appointment is required by Congress to be confirmed by, or made with the advice and consent of, the Senate, except an employee whose appointment is made under section 3311 of title 39; and

(2) "adverse action" means a removal, suspension for more than 30 days, furlough without pay, or reduction in rank or pay.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 528.)

## HISTORICAL AND REVISION NOTES

The section is supplied on authority of sections 2, 14, and 20 of the Act of June 27, 1944, ch. 287, 58 Stat. 387, 390, and 391, which are carried into this title.

In paragraph (2), the word "removal" is coextensive with and substituted for "discharge".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

§ 7512. Cause; procedure; exception.

(a) An agency may take adverse action against a preference eligible employee, or debar him for future appointment, only for such cause as will promote the efficiency of the service.

(b) A preference eligible employee against whom adverse action is proposed is entitled to—

- (1) at least 30 days' advance written notice, except when there is reasonable cause to believe him guilty of a crime for which a sentence of imprisonment can be imposed, stating any and all reasons, specifically and in detail, for the proposed action;
- (2) a reasonable time for answering the notice personally and in writing and for furnishing affidavits in support of the answer; and
- (3) a notice of an adverse decision.

(c) This section does not apply to the suspension or removal of a preference eligible employee under section 7532 of this title. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 528.)

## HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
-----	5 U.S.C. 863 (1st 168 words).	June 27, 1944, ch. 287, § 14 (1st 168 words), 58 Stat. 390.)

The application of this section is covered by the definitions in sections 105, 2105, 2108, and 7511.

Subsection (b)(3) is added on authority of the last 24 words before the first proviso in former section 863, which is carried in part into this section and section 7701.

Subsection (c) is added on authority of the first 16 words of former section 22-1, which is carried in part into section 7532.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.